

**STATUS OF DWR's IMPLEMENTATION OF  
LEGISLATIVELY MANDATED ACTIVITIES**

**OCTOBER 2008**

Since the Department of Water Resources published a white paper on the critical condition of California's flood management system in January 2005, there has been increased focus on flood risk management, particularly since the catastrophic flooding of New Orleans following Hurricane Katrina in August 2005. As part of the State's new flood initiatives, the Department has taken the lead in carrying out advance measures and responding to the January and April 2006 flood events, and committed almost half a billion dollars (provided through AB 142) to improve levees. In November 2006, the voters of California passed two bond measures, Propositions 1E and 84, which together provide nearly \$4.9 billion for flood risk reduction measures. These bond funds will be used to strategically improve California's flood system, and this package of legislation formally recognizes the need to integrate such flood management activities with local land use planning.

For over two years, the Department of Water Resources worked with members of the Legislature, local governments and planning agencies, landowners and developers to take steps to implement recommendations of the 2005 white paper, and to move the State forward in its flood management and planning. In October 2007, Governor Arnold Schwarzenegger signed a package of six bills to achieve those ends. These included:

SB 5 (Machado) / AB 5 (Wolk)

- Floodplain Development
- Central Valley Flood Protection Plan

SB 17 (Florez) – Reclamation Board Reform

AB 70 (Jones) – Shared Liability

AB 156 (Laird)

- Mapping, Notification, Mitigation Banks
- Maintenance Area Formation

AB 162 (Wolk)

- General Plan Amendments
- Flood Hazard Zones / Land Use

DWR prepared the attached spreadsheet which lists descriptions and deadline dates (where applicable) for milestones associated with this legislation. This spreadsheet was first shared with the Board in April 2008, at which time staff reported on the status of items (for which DWR is responsible) which were due for completion by July 1, 2008. This second update to the Board will report primarily on the status of items due by the end of 2008.

NOTE THAT ITEM NUMBERS FROM THE SPREADSHEET ARE USED TO CROSS REFERENCE ITEMS IN THIS REPORT (S5, S6, etc.).

**FOR CONTINUITY WITH THE APRIL 2008 REPORT, UPDATES FOR THE FOLLOWING TWO ITEMS (FOR WHICH ADDITIONAL ACTIVITY HAS OCCURRED SUBSEQUENT TO THEIR JULY 1, 2008 MILESTONE DATES) ARE INCLUDED:**

**S5: SENATE BILL 5, SECTION 9, 9610(A): BEST AVAILABLE MAPS (BAM's)**

By July 1, 2008, the department shall develop preliminary maps for the 100 and 200 year floodplains protected by project levees. The 100 year floodplain maps shall be prepared using criteria developed or accepted by the Federal Emergency Management Agency (FEMA).

**S6: SENATE BILL 5, SECTION 9, 9610(B): BEST AVAILABLE MAPS (BAM's)**

By July 1, 2008, the department shall give notice to cities in the Sacramento-San Joaquin Valley outside areas protected by project levees regarding maps and other information as to flood risks available from the Federal Emergency Management Agency or other federal, state or local agency.

**OCTOBER 2008 STATUS:**

Best Available Maps for 100-year and 200-year floodplains in the Central Valley (32 counties) were mailed out to 123 communities on July 1, 2008. Comments on the BAM maps were received from communities and incorporated into updated maps that were mailed out on August 29, 2008.

DWR issued a press release on September 15, 2008 along with the opening of the website containing the BAM maps:

[http://www.water.ca.gov/floodmgmt/lra/mo/fmb/fes/best\\_available\\_maps/](http://www.water.ca.gov/floodmgmt/lra/mo/fmb/fes/best_available_maps/)

As of October 1, 2008 the BAM website has had 2,800 visits and 4,300 pages were viewed.

After the August 29, 2008 transmittal, DWR has received new comment letters from 4 communities. Responses to these comment letters are being developed and modifications to the BAM maps will be completed as required.

The BAM maps will be updated with new 100-year and 200-year floodplain data as new studies are completed by FEMA, the USACE, DWR and local agencies.



**ITEMS FOR WHICH DECEMBER 31, 2008 or JANUARY 1, 2009 ARE  
MILESTONE DATES ARE FOUND IN SB AND AB 156; STATUS OF DWR  
ACTIVITY AS OF OCTOBER 2008 IS PROVIDED AS FOLLOWS:**

**S8: ASSEMBLY BILL 156, SECTION 5, 8612(A): MAPPING SCHEDULE**

On or before December 31, 2008, the department shall prepare, and the board shall adopt, a schedule for mapping areas at risk of flooding in the Sacramento River and San Joaquin River drainage.

**S30: ASSEMBLY BILL 156, SECTION 5, 8612(B): MAPPING SCHEDULE**

The department shall update the schedule annually and shall present the updated schedule to the board for adoption on or before December 31 of each year. The update shall include the status of mapping in progress and an estimated time of completion. The schedule shall be based on the present and expected future risk of flooding and associated consequences.

**OCTOBER 2008 STATUS:**

Division of Flood Management is developing a definitive schedule for preparing the mapping products necessary for assessment of the current State Plan of Flood Control and for use with future planning activities. The proposed schedule is being developed in close coordination with the Central Valley Flood Protection Plan. This effort supports mapping assessment of areas at risk of flooding consistent with Water Code guidance for the Sacramento River and San Joaquin River drainage. DFM will be providing this schedule to the Central Valley Flood Protection Board by mid-November for review by Board staff and for presentation at the subsequent November 21, 2008 Board meeting. The final schedule will be presented to the Board in December for requested adoption in compliance with the December 31, 2008 deadline. This schedule will be updated each year and will be presented to the Board for approval by December to meet the December 31 requirements for that year.

**S9: ASSEMBLY BILL 156, SECT.5, (9120): SPFC SYSTEM STATUS REPORT**

The Department shall prepare and the Board shall adopt a flood control system status report for the State Plan of Flood Control. On or before December 31, 2008, the Board shall advise the Legislature, in writing, as to the Board's schedule of implementation of this section.

**OCTOBER 2008 STATUS:**

SFPO staff will provide a proposed Implementation Schedule for preparation of the Flood Control System Status Report for the State Plan of Flood Control to the Board for consideration at the November 21, 2008 board meeting. Ken Kirby, FloodSAFE Planning Portfolio Manager, will brief the Board on this issue at today's Board meeting as part of the DWR Report to the Board.

**S10: ASSEMBLY BILL 156, SECT. 9130 (A): FLOOD RISK NOTIFICATION**

The department shall prepare and maintain maps for levee flood protection zones. The department shall prepare the maps by December 31, 2008, and shall include in the maps a designation of those lands where flood levels would be more than three feet deep if a project levee were to fail, using the best available information. The maps shall include other flood depth contours if that information is available.

**OCTOBER 2008 STATUS:**

In October 2007, the Governor signed into law Assembly Bill No.156 which requires that DWR prepare maps of levee flood protection zones (LFPZs) by December 31, 2008, using the best available information. These maps will be sent to appropriate governmental agencies. In addition, AB156 requires the DWR to provide written notice of potential flood risks to each property owner whose property is protected by State/federal levees (project levees), starting in September 2010 and annually thereafter.

DWR has initiated a Flood Risk Notification Program to implement these legislative requirements. The progress made as of today includes:

- ✓ DWR has developed a webpage to post updated maps and flood risk related information;
- ✓ The team has prepared a document package to communicate the program information with 15 counties and 74 incorporated cities; and
- ✓ The program team has analyzed various data sources and methodologies and is working with four regional consultants to finalize the preliminary LFPZ maps by December 31, 2008.

DWR plans to give a presentation about the Flood Risk Notification Program to the CVFPB at the November meeting. Beginning in Jan 2009, DWR will share the preliminary LFPZ maps with the communities and request their reviews.

**S29: ASSEMBLY BILL 156, SECTION 7, 9140(A): LMA REPORTS**

On or before September 30 of each year, a local agency responsible for the operation and maintenance of a project levee shall prepare and submit to the department, in a format specified by the department, a report of information for inclusion in periodic flood management reports prepared by the department relating to the project levee. The information submitted to the department shall include all of the following: [see 9140(a) (1)-(5)]

**S11: ASSEMBLY BILL 156, SECTION 7, 9141(C): LMA REPORTS**

The department shall prepare and transmit to the board a report on the project levees operated and maintained by each local agency. The report shall be completed on or before December 31, 2008, and shall be updated annually. [See 9141(a) - Requirements for reporting on project levees pursuant to Section 9140]



By establishing these requirements on a local agency, AB 156 imposes a state-mandated local program; the legislation requires the following content in the reports:

Project Levees: Reports submitted to the department by a local agency responsible for the operation and maintenance of a project levee are to include:

- (1) Information known to the local agency that is relevant to the condition or performance of the project levee
- (2) Information identifying known conditions that might impair or compromise the level of flood protection provided by the project levee
- (3) A summary of the maintenance performed by the local agency during the previous fiscal year
- (4) A statement of work and estimated cost for operation and maintenance of the project levee for the current fiscal year, as approved by the local agency
- (5) Any other readily available information contained in the records of the local agency relevant to the condition or performance of the project levee, as determined by the board or the department

Non-Project Levees: A local agency that operates and maintains a non-project levee that also benefits land within the boundaries of the area benefited by the project levee shall include the same information required for Project Levees.

Other Levees: A local agency responsible for the operation and maintenance of a levee not otherwise subject to this section may voluntarily prepare and submit to the department or the board a flood management report for posting on the Internet Web site of the department or the board.

#### **OCTOBER 2008 STATUS:**

To communicate these new requirements and to solicit feedback on the program, a program Fact Sheet was distributed to all Local Agencies in May 2008, a series of public presentations were held in June and July 2008, and a series of program information and development workshops were held in August 2008.

Based upon Local Agency feedback, the Department developed a web application to facilitate reporting of Local agency information. This web application allows Local Agencies to establish individual user accounts with access to certain DFM flood system information and the ability to submit required information electronically. The web application can be accessed at <http://cdec.water.ca.gov/lma.html>.

On August 27, 2008 FPIIB staff mailed a Local Agency reporting notification letter and reporting package to all Local Agencies. The letter provided additional background information on the electronic reporting web application and paper copy reporting procedures. The reporting package included a return envelope, and a divided folder with reporting instructions and template forms.

Local Agency reporting information was due to the Department on September 30<sup>th</sup>. In turn, the Department will consolidate this information, and provide a summary report to the Central Valley Flood Protection Board by December 31<sup>st</sup> 2008. The report will also be available on the Internet Web site and distributed to the following entities:

- (1) The local agency
- (2) Any city or county within the local agency's jurisdiction
- (3) Any public library located within the local agency's jurisdiction

**S14: SENATE BILL 5, SECTION 7, 50465(A): BUILDING CODES**

On or before January 1, 2009, the Department of Water Resources shall propose for adoption and approval by the California Building Standards Commission updated requirements to the California Building Standards Code for construction in areas protected by the facilities of the Central Valley Flood Protection Plan where flood levels are anticipated to exceed three feet for the 200-year flood event. The amendments to the California Building Standards Code shall be sufficient to reduce the risk of flood damage and to protect life, safety, and the construction in those areas.

**OCTOBER 2008 STATUS:**

The Building Codes Project Technical Advisory Committee meets on October 15 to further discuss the six building code "provisions under consideration" and preliminary building code schematic diagrams. At the next TAC Meeting in early November, the initial code package for the Building Standards Commission will be formulated. (At the August 28 kickoff meeting, the TAC discussed the legislative requirements, code adoption process and six building code provisions under consideration.) Meeting notes from the first TAC meeting are available and the second TAC meeting notes are forthcoming. Dan Fua is representing the Central Valley Flood Protection Board.



**FLOOD LEGISLATION DEADLINES FOR DEPARTMENT  
MILESTONES FOR BILLS SB 5, SB 17, AB 5, AB 70, AB 156, and AB 162**

MILESTONE	BILL	Chapter	SECTION	DESCRIPTION	COMMENTS	RESPONSIBLE TO IMPLEMENT	ITEM NUMBER	CVFPB APPROVAL NEEDED (Y/N) -Note
November 1, 2007, and quarterly thereafter	SB 85 Page 17	178	Section 12 [5096.829(a)]	The department shall, beginning November 1, 2007, and quarterly thereafter until funds authorized by this chapter are liquidated, prepare and submit to the Joint Legislative Budget Committee a report that includes information relating to funds expended by the department during the time period pursuant to Section 5096.821.	Quarterly reports to the Legislature on Prop 1E expenditures	Bond Accountability Dena Uding	1	N
On or before January 1, 2008	SB 85 Page 18	178	Section 13 [5096.954]	On or before January 1, 2008, the department shall adopt emergency regulations to implement Section 12585.7 of the Water Code.	Emergency regulations for AB 1147 implementation	Flood Projects G.T.Q.	2	N
On or after January 1, 2008	AB 5 Page 7 (Supersedes SB 17)	366	Section 11 [8550(c)]	It is the intent of the Legislature to transfer the duties and corresponding funding allocated to the Reclamation Board as it exists on December 31, 2007, together with all necessary positions, to the board as it is reconstituted on and after January 1, 2008.	Replace Reclamation Board with Central Valley Flood Protection Board	Deputy Director/Reclamation Board	3	N
January 1, 2008	AB 70 Page 1	367	Section 1 [8307 (a)]	A city or county may be required to contribute its fair and reasonable share of the property damage caused by a flood to the extent that the city or county has increased the state's exposure to liability for property damage by unreasonably approving new development in a previously undeveloped area that is protected by a state flood control project.	Local Agency may be subject to relative liability if it approves "unreasonable" new development	Local Agencies	4	N
By July 1, 2008	SB 5 Page 10	364	Section 9 [9610(a)]	By July 1, 2008, the department shall develop preliminary maps for the 100 and 200 year floodplains protected by project levees. The 100 year floodplain maps shall be prepared using criteria developed or accepted by the Federal Emergency Management Agency (FEMA).	Develop preliminary floodplain maps for areas protected by project levees using best available information	FPM R. Pineda	5	N Post on CVFPB Website
By July 1, 2008	SB 5 Page 10	364	Section 9 [9610(b)]	By July 1, 2008, the department shall give notice to cities in the Sacramento-San Joaquin Valley outside areas protected by project levees regarding maps and other information as to flood risks available from the Federal Emergency Management Agency or other federal, state or local agency.	Risk notification to areas outside of areas protected by project levees	FPM R. Pineda	6	N
July 1, 2008	AB 156 Page 9 (Supersedes AB 5)	368	Section 8 [9650 (a)]	Commencing July 1, 2008, the allocation or expenditure of state funds for the upgrade of a project levee authorized on or after July 1, 2008 that protects an area in which more than 1000 people reside shall be subject to a requirement that the local agency responsible for the O&M of the project levee and any city or county protected by the project levee, enter into an agreement to adopt a safety plan within 2 years. If the city or county is responsible for the O&M of the project levee, the governing body shall approve a resolution committing to the preparation of a safety plan within 2 years.	General Plan Update	Local Agencies	7	N Local agencies must submit copy to The Department and CVFPB
On or before December 31, 2008	AB 156 Page 5 (Supersedes AB 5)	368	Section 5 [8612 (a)]	On or before December 31, 2008, the department shall prepare, and the board shall adopt, a schedule for mapping areas at risk of flooding in the Sacramento River and San Joaquin River drainage.	Schedule for floodplain mapping	FPM Pineda/Christensen	8	Y Adopt
On or before December 31, 2008	AB 156 Page 7 (Supersedes AB 5)	368	Section 7 [9120]	The department shall prepare and the board shall adopt a flood control system status report for the SPFC. On or before December 31, 2008, the board shall advise the Legislature, in writing, as to the board's schedule of implementation of this section.	State Plan of Flood Control schedule of implementation	Statewide Flood Planning Office S. Bradley	9	Y Adopt
December 31, 2008	AB 156 Page 8 (Supersedes AB 5)	368	Section 7 [9130(a)]	The department shall prepare and maintain maps for levee flood protection zones. The department shall prepare the maps by December 31, 2008, and shall include in the maps a designation of those lands where flood levels would be more than three feet deep if a project levee were to fail, using the best available information. The maps shall include other flood depth contours if that information is available.	LFPZ maps using best available information	FPM R. Pineda	10	N The Dept. shall distribute maps to appropriate govt agencies as determined by Dept.
On or before December 31, 2008 and updated annually	AB 156 Page 9 (Supersedes AB 5)	368	Section 7 [9141(c)]	The department shall prepare and transmit to the board a report on the project levees operated and maintained by each local agency, . . . The report shall be completed on or before December 31, 2008, and shall be updated annually. [See 9141(a) - Requirements for reporting on project levees pursuant to Section 9140]	Project levee status report	Hydrology & Flood Operations Office Jeremy Arrich	11	N Report must be submitted to CVFPB
On or after January 1, 2009	AB 162 Page 5	369	Section 1.5 [65302 (d)(3)]	Upon the next revision of the housing element on or after January 1, 2009, the conservation element shall identify rivers, creeks, streams, flood corridors, riparian habitats, and land that may accommodate floodwater for purposes of groundwater recharge and stormwater management.	General Plan Update - The department will need to define and develop the 200 year flood plain, levee protection zone	Local Agencies	12	N



**FLOOD LEGISLATION DEADLINES FOR DEPARTMENT  
MILESTONES FOR BILLS SB 5, SB 17, AB 5, AB 70, AB 156, and AB 162**

MILESTONE	BILL	Chapter	SECTION	DESCRIPTION	COMMENTS	RESPONSIBLE TO IMPLEMENT	ITEM NUMBER	CVFPB APPROVAL NEEDED (Y/N)	-Note
On or after January 1, 2009	AB 162 Page 6	369	Section 1.5 [65302 (g)(2)]	The safety element, upon the next revision of the housing element on or after January 1, 2009, shall also do the following: [see 65302(g) (2) (A)-(C)].	General Plan Update	Local Agencies	13	N	Shall consult with CVFPB, if it is located with boudaries of SSJ D
On or before January 1, 2009	SB 5 Page 7	364	Section 7 [50465 (a)]	On or before January 1, 2009, the Department of Water Resources shall propose for adoption and approval by the California Building Standards Commission updated requirements to the California Building Standards Code for construction in areas protected by the facilities of the Central Valley Flood Protection Plan where flood levels are anticipated to exceed three feet for the 200-year flood event. The amendments to the California Building Standards Code shall be sufficient to reduce the risk of flood damage and to protect life, safety, and the construction in those areas.	Building Code Update	FPM R. Pineda	14	N	Consult with CVFPB before proposing ammendments
On or before December 31, 2009	SB 17 Page 7	365	Section 18 [8725 (a)]	On or before December 31, 2009, the department shall prepare a preliminary report on the status of the State Plan of Flood Control and submit the preliminary report to the board for its adoption in accordance with this section.	State Plan of Flood Control Preliminary Report	Hydrology & Flood Operations AND Statewide Flood Planning Office	15	Y	Adopt
By January 1, 2010	AB 5 Page 14 (Supersedes SB 5)	366	Section 26 [9625(a)]	By January 1, 2010, the department shall develop cost-sharing formulas, as needed, for funds made available by the Disaster Preparedness and Flood Prevention Bond Act of 2006 (Chapter 1.699 (commencing with Section 5096.800) of Division 5 of the Public Resources Code) and the Safe Drinking Water, Water Quality and Supply, Flood Control, River and Coastal Protection Bond Act of 2006 (Division 43 (commencing with Section 75001) of the Public Resources Code) for repairs or improvements of facilities included in the plan to determine the local share of the cost of design and construction.	Local Cost Sharing formulas for Prop 1E and Prop 84 funds	Flood Projects AND FloodSAFE Team	16	N	
By January 1, 2010	SB 5 Page 15	364	Section 9 (9623)	Consistent with the adoption of the Central Valley Flood Protection Plan pursuant to this part, each city, county, and city and county shall collaborate with the state and local flood management agencies to develop funding mechanisms to finance local flood protection responsibilities by January 1, 2010.	Local funding/financing plans	Local Agencies	17	N	
On or before September 1, 2010 and September 1 thereafter	AB 156 Page 7 (Supersedes AB 5)	368	Section 7 [9121(a)]	On or before September 1, 2010, and on or before September 1 of each year thereafter, the department shall provide written notice to each landowner whose property is determined to be entirely or partially within a levee flood protection zone.	LFPZ risk notification	FPM R. Pineda	18	N	
On or before December 31, 2010	SB 5 Page 11	364	Section 9 [9610(c)]	On or before December 31, 2010, the department shall prepare a status report on the progress and development of the Central Valley Flood Protection Plan pursuant to Section 9612. The department shall post this information on the board's Internet Web site, and make it available to the public.	Central Valley Flood Protection Plan status report	Statewide Flood Planning Office S. Bradley	19	N	Post on CVFPB Website
No later than January 1, 2012 and July 1, 2012 and every 5 years thereafter	SB 5 Page 11	364	Section 9 [9612(b)]	No later than January 1, 2012, the department shall prepare the Central Valley Flood Protection Plan in accordance with this part, and shall transmit the plan to the board, which shall adopt the plan no later than July 1, 2012. The plan shall be updated in subsequent years ending in 2 and 7.	Central Valley Flood Protection Plan completed	Statewide Flood Planning Office S. Bradley	20	Y	Adopt
Before July 1, 2012 or before adoption of the Central Valley Flood Protection Plan	SB 5 Page 12	364	Section 9 [9613(a)]	Consistent with subdivision (b) of Section 5096.821 of the Public Resources Code, the department may implement flood protection improvements for urban areas protected by facilities of the State Plan of Flood Control before the adoption of Central Valley Flood Protection Plan if the director determines, in writing, that all of the following apply: (1-7)	Flood Protection Improvements using Prop 1E Funds Before adoption of the CVFPP	Flood Projects AND FloodSAFE Team	21	N	
July 1, 2012 (or upon adoption by the Board)	SB 5 Page 14	364	Section 9 [9620(a)]	The facilities identified pursuant to subdivision (a) of Section 9614 shall be deemed to be part of the system.	Identified Facilities deemed part of the system	Statewide Flood Planning Office AND Hydrology & Flood Operations	22	Y	Upon adoption of the plan by CVFPB
July 1, 2012 (or upon adoption by the Board)	SB 5 Page 15	364	Section 9 [9620(b)]	The board shall act on the recommendations to remove facilities identified pursuant to subdivision (h) of Section 9614 from the State Plan of Flood Control.	Facilities to be removed from the system	Central Valley Flood Protection Board (CVFPB) AND DFM	23	Y	CVFPB shall act on recommendations
July 1, 2012 (or upon adoption by the Board)	SB 5 Page 15	364	Section 9 [9620(c)]	The department shall develop a recommended schedule and funding plan to implement the recommendations of the plan. To develop the recommended schedule and funding plan, the department may collaborate with local and federal agencies.	Develop recommended schedule and funding plan	Statewide Flood Planning Office S. Bradley	24	Y	Upon adoption of the plan by CVFPB



**FLOOD LEGISLATION DEADLINES FOR DEPARTMENT  
MILESTONES FOR BILLS SB 5, SB 17, AB 5, AB 70, AB 156, and AB 162**

MILESTONE	BILL	Chapter	SECTION	DESCRIPTION	COMMENTS	RESPONSIBLE TO IMPLEMENT	ITEM NUMBER	CVFPB APPROVAL NEEDED (Y/N) -Note
July 1, 2015 (or upon amendment of both its general plan and zoning ordinances)	SB5 Pages 5	364	Sec 4 [65865.5(a)]	Notwithstanding any other provision of law, after the amendments required by Section 65302.9 and 65860.1 have become effective, the legislative body of a city or county within the Sacramento-San Joaquin Valley shall not enter into a development agreement for any property that is located within a flood hazard zone unless the city or county finds, based on substantial evidence in the record, one of the following: [see 65865.5 (a) (1)-(3) for requirements]	No Development agreement for properties within Flood Hazard Zones	Local Agencies	25	N
July 1, 2015 (or upon amendment of both its general plan and zoning ordinances)	SB5 Pages 6	364	Sec 5 [65962(a)]	Notwithstanding any other provision of law, after the amendments required by Sections 65302.9 and 65860.1 have become effective, each city and county within the Sacramento-San Joaquin Valley shall not approve any discretionary permit or other discretionary entitlement, or any ministerial permit that would result in the construction of a new residence, for a project that is located within a flood hazard zone unless the city or county finds, based on substantial evidence in the record, one of the following: [see 65962 (a) (1)-(3) for requirements]	No Permits that would result in construction of a new residence for projects within Flood Hazard Zones	Local Agencies	26	N
July 1, 2015 (or upon amendment of both its general plan and zoning ordinances)	SB5 Pages 7	364	Sec 6 [66474.5(a)]	Notwithstanding any other provision of law, after the amendments required by Sections 65302.9 and 65860.1 have become effective, the legislative body of each city and county within the Sacramento-San Joaquin Valley shall deny approval of a tentative map, or a parcel map for which a tentative map was not required, for any subdivision that is located within a flood hazard zone unless the city or county finds, based on substantial evidence in the record, one of the following: [see 66474.5 (a) (1)-(3) for requirements]	Deny approval of tentative maps for any subdivision located within Flood Hazard Zones	Local Agencies	27	N
2025	SB 5 Page 5	364	Section 4 [65865.5 (a)(3)]	For urban and urbanizing areas protected by project levees, the urban level of flood protection shall be achieved by 2025.	Achieve 200-yr LOP for urban and urbanizing areas	Local Agencies AND FloodSAFE	28	N
On or before September 30 of each year	AB 156 Page 8 (Supersedes AB 5)	368	Section 7 [9140 (a)]	On or before September 30 of each year, a local agency responsible for the operation and maintenance of a project levee shall prepare and submit to the department, in a format specified by the department, a report of information for inclusion in periodic flood management reports prepared by the department relating to the project levee. The information submitted to the department shall include all of the following: [see 9140(a) (1)-(5)]	Project levee status report	Local Agencies AND Hydrology & Flood Operations Office J.Arrich	29	N
On or before December 31 of each year	AB 156 Page 5 (Supersedes AB 5)	368	Section 5 [8612 (b)]	The department shall update the schedule annually and shall present the updated schedule to the board for adoption on or before December 31 of each year. The update shall include the status of mapping in progress and an estimated time of completion. The schedule shall be based on the present and expected future risk of flooding and associated consequences.	Schedule update for floodplain mapping	FPM Pineda/Christensen	30	Y    Adopt
within 60 days of the receipt of the draft or existing safety element	AB 162 Page 8	369	Section 2 [65302.7 (b)]	The Central Valley Flood Protection Board and each local agency described in paragraph (1) shall review the draft or an existing safety element and report their respective written recommendations to the planning agency within 60 days of the receipt of the draft or existing safety element. The Central Valley Flood Protection Board and each local agency shall review the draft or existing safety element and may offer written recommendations for changes to the draft or existing safety element regarding both of the following: [see 65302.7 (b) (1) - (2)]	General Plan Update	CVFPB & DFM	31	N    If located w/in boundaries of SSJD, Locals shall submit draft to CVFPB
at least 90 days prior to adoption of, or amendment of, or amendment to, the safety element of its general plan	AB 162 Page 7	369	Section 2 [65302.7 (a)]	Each county or city within the boundaries of the Sacramento and San Joaquin Drainage District shall submit the draft element of or draft amendment to the safety element to the CV Flood Protection Board and to every local agency that provides flood protection to territory in the city or county.	General Plan Update	Local Agencies AND CVFBP AND DFM	32	N    If located w/in boundaries of SSJD, Locals shall submit draft to CVFPB
Within 24 months of adoption of Central Valley Flood Protection Plan by the CV Flood Protection Board	SB 5 Page 4	364	Section 2 [65302.9 (a)]	Within 24 months of the adoption of the Central Valley Flood Protection Plan by the Central Valley Flood Protection Board pursuant to Section 9612 of the Water Code, each city and county within the Sacramento-San Joaquin Valley, shall amend its general plan to contain all of the following: [see 65302.9(a) (1)-(3) for requirements]	General Plan Update	Local Agencies	33	N    CVFBP and The Department shall collaborate w/ locals: provide info / tech assist.
Within 24 months of the adoption of the Central Valley Flood Protection Plan	SB 5 Page 15	364	Section 9 [9621]	Consistent with the adoption of the Central Valley Flood Protection Plan pursuant to this part, each county shall collaborate with cities within its jurisdiction to develop flood emergency plans within 24 months of the adoption of the plan.	Local Flood Emergency Plans	Local Agencies	34	N
Within 36 months of adoption of Central Valley Flood Protection Plan by the CV Flood Protection Board but not more than 12 months its general plan amendment	SB 5 Page 5	364	Section 3 [65860.1 (a)]	Within 36 months of the adoption Central Valley Flood Protection Plan by the Central Valley Flood Protection Board pursuant to Section 9612 of the Water Code, but not more than 12 months after the amendment of its general plan pursuant to Section 65302.9, each city and county within the Sacramento-San Joaquin Valley shall amend its zoning ordinance so that it is consistent with the general plan, as amended.	Amend zoning ordinances	Local Agencies	35	N



FLOOD LEGISLATION DEADLINES FOR DEPARTMENT  
MILESTONES FOR BILLS SB 5, SB 17, AB 5, AB 70, AB 156, and AB 162

MILESTONE	BILL	Chapter	SECTION	DESCRIPTION	COMMENTS	RESPONSIBLE TO IMPLEMENT	ITEM NUMBER	CVFPB APPROVAL NEEDED (Y/N) -Note
No more than 6 months prior to the development of proposed methodology for distributing the existing and projected housing need.	AB 162 Page 10	369	Section 5 [65584.04 (b)]	No more than six months prior to the development of a proposed methodology for distributing the existing and projected housing need, each council of governments shall survey each of its member jurisdictions to request, at a minimum, information regarding the factors listed in subdivision (d) that will allow the development of a methodology based upon the factors established in subdivision (d).	Housing/Zoning plans	Local Agencies	36	N
At least 2 years prior to a scheduled revision	AB 162 Page 10	369	Section 5 [65584.04 (a)]	At least two years prior to a scheduled revision required by Section 65588, each council of governments, or delegate subregion as applicable, shall develop a proposed methodology for distributing the existing and projected regional housing need to cities, counties, and cities and counties within the region or within the subregion, where applicable pursuant to this section. The methodology shall be consistent with the objectives listed in subdivision (d) of Section 65584.	Housing/Zoning plans	Local Agencies	37	N
No date given, but prior to local agencies general plan development	AB162 Page 8	369	Section 3 [65303.4]	The Department of Water Resources or the Central Valley Flood Protection Board, as appropriate, . . . may develop site design and planning policies to assist local agencies which request help in implementing the general plan guidelines for meeting flood control objectives and other land management needs.		CVFPB DFM & FloodSAFE	38	N CVFPB or DWR, and DFG, may assist local agencies implement general plan
No date given	AB 156 Page 6	368	Section 6 [8613]	The board or department may establish a program of mitigation banking for the activities of the board or the department under this part and for the benefit of local districts in the discharge of their flood control responsibilities.		CVFPB DFM & FloodSAFE	39	N Duty of CVFPB or the Department
No date given	SB 85 Page 18	178	Section 12 [5096.829 (d)(2)]	It is the intent of the Legislature that the department notify the federal government when the state pays the costs associated with the federal cost-share of levee repair and improvement projects, with the intent that those costs may be recouped from the federal government in the future.	Notification to the federal government when the state pays the federal cost share	CVFPB DFM & FloodSAFE	40	N
No date given	SB 85 Page 18	178	Section 14 [5096.955 (a)]	For the purposes of any levee evaluation activities funded by the department, the department shall not require a local cost-share for the following levee evaluations: [See items (1-3)]	Levee evaluations beyond the State/federal levees	DFM Levee Repairs Office	41	N